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Candace Havens
Director

WORKING SESSION MEMORANDUM

DATE: January 11, 2013

TO: Alderman Marcia Johnson, Chairman
Members of the Zoning and Planning Committee

FROM: Candace Havens, Director of Planning and Development
James Freas, Chief Planner for Long Range Planning

RE: Zoning Reform, Phase 1

MEETING DATE: Working Session on January 14, 2013

CC: Board of Aldermen
Planning and Development Board
Donnalyn Kahn, City Solicitor

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The City of Newton's Zoning Ordinance is a critically important set of regulations as it is the primary determinant of what residents, business owners, and developers can do with the land they own in the City and it therefore sets the bounds for the future development of the City, affecting economic development, quality of life, and neighborhood character. The Zoning Reform Group was created in the winter of 2010/2011 to consider the existing ordinance and recommend a process for revisions that would bring it into greater consistency with Newton's *Comprehensive Plan* and address identified problems in the ordinance impacting its administration and application. Those recommendations, provided in a report released in December 2011, set in motion the Newton Comprehensive Zoning Reform project, representing the first such reform process in 25 years. The purpose of this memo is to provide ZAP with an update on the progress of this effort.

As defined in the Zoning Reform Group report, Phase 1 will focus on reorganizing and clarifying the existing zoning ordinance, setting the stage for future substantive regulatory changes in Phase 2. Phase 1 will be kicking off within the next month and a consultant, Code Studio, has been selected to work with staff for this phase. The firm is highly recognized nationally for its expertise in zoning and brings a perspective that is firmly grounded in creating a zoning code that achieves the desired design objectives of the community. This phase will include re-ordering ordinance provisions, addressing inconsistencies, clarifying language, and incorporating illustrative graphics and

tables. The final product will be a new document that will be much easier to use and understand and will be web-enabled, allowing for internet viewing with links provided between related sections.

ZAP will be closely involved in the progress of this project. Staff anticipates that in the course of clarifying the ordinance language or addressing inconsistencies between different sections of the ordinance, issues will be raised that represent substantive changes to the regulations that must be addressed. A number of existing docket items on the ZAP agenda represent good examples of these types of clarifying and inconsistency issues and will be addressed as part of Phase 1; these are identified in the table below.

Docket Number	Description
154-10	Provide new definition for Lot Area and clarify Setback Line definition.
154-10(2)	Clarify Lot Line and Structure definitions.
65-11(3)	Define “flat-roof” and “sloped-roof.”
216-12	Exclude tennis courts from the definition of Useable Open Space (otherwise defined as structures).
217-12	Bring consistency to the number of tandem parking stalls allowed in setback areas between two sections of the ordinance.
218-12	Define “sideline” distance.
219-12	Correct inconsistency relative to the definition of structure.
220-12	Clarify lot width, lot area, lot frontage in the table in Sec. 30-8(b)(10)a)

The goal is to complete Phase 1 in time to allow the Board of Aldermen to adopt an updated and reorganized ordinance this summer. Phase 2 of the zoning reform project is scheduled to begin in September of this year. At that time, further consideration will be given to its underlying policies and the ways in which our ordinance could best execute the goals of the *Comprehensive Plan*..